



**Project #16-017  
Willets Rezone  
Located at 1360 North 200 West**

**REPORT SUMMARY...**

<i>Project Name:</i>	Willets Rezone
<i>Proponent/Owner:</i>	Jed F. Willets / Jed F. Willets
<i>Project Address:</i>	1360 North 200 West
<i>Request:</i>	Rezone from MR-12 to Mr-20
<i>Current Zoning:</i>	MR-12
<i>Date of Hearing:</i>	April 14, 2016
<i>Type of Action:</i>	Legislative
<i>Submitted By:</i>	Russ Holley, Senior Planner

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**RECOMMENDATION**

Staff recommends that the Planning Commission recommend denial to the Municipal Council for a Rezone of the property located at 1360 North 200 West.

**Background**

In 1992 the Logan City Planning Commission approved the six (6) lot Royal Point Subdivision located south of 1400 North between 200 and 400 West. Each lot was approximately 1.30 to 1.80 acres in size. Lot #6 is associated with this request and is 1.8 acres in size. Additional rights-of-way was exacted from lot #6 and it now contains 1.66 acres (72,309 SF). In 1992 the zoning was R4, which allowed multi-family structures at a rate of one unit per every 6,000 square feet (SF) and an additional 1,000 SF for each subsequent unit (4-plexes would require 9,000 SF). With 1.66 acres, eight four-plexes could have been built in the 1990's. Seven four-plexes were built between 1993 and 1995. Subsequent to the four-plexes, lot #6 was divided into eight separate lots (one vacant) at the County Recorder's office and without formal City subdivision approval. The City has never recognized these additional TIN boundaries. The original Lot #6 under the R4 zoning ordinance could have allowed for additional units, but were never constructed.

In 2000 the zoning designations and densities changed to "Multi Family High" with a density of 14 units per acre. With seven four-plexes (28 units) on the original recognized 1.66 acre lot, the density is 16.8 units per acre and the project became "legally existing nonconforming". Furthermore, in 2012 the area was down-zoned again to its current density of MR-12 (12 units per acre). This legally existing nonconformity renders the vacant lot created at the county undevelopable. The applicant was verbally told over the counter by staff in 2011 that the property would support a duplex based on size and current zoning. After the applicant submitted a proposal for a duplex, the illegal subdivision was then discovered. The applicant then proposed a rezone in 2011 to MR-20, that proposal was denied by the City Council. The Council did ask staff to work with the applicant on alternatives that may remedy his predicament as he was under the impression that this lot was created legally and capable of future development from City staff and his title company. Over the past several years, no agreements have been reached with the applicant.

## **Request**

The proponent is requesting a re-zone of Lot #6 from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20). This would achieve a higher density allowing for a Logan City approved subdivision to occur and thus creating recognized legal building lots and allowing the applicants property (vacant piece) to be developed. It would then be the intention of the proponent to build a multi-family structure in the vacant 0.24 acre area in the southwest corner.

The MR-12 zone allows 12 units per acre. The MR-20 zone allows 20 units per acre. Currently, Lot #6 is developed at 16.8 units per acre. If rezoned to MR-20, at 1.66 total acres, 33 units would be the density. A 0.24 acre piece would have a density of 4 units.

## **General Plan**

The Future Land Use Plan (FLUP) identifies this area as Mixed Residential. It does *not* distinguish between medium and high. In Chapter 5 "Growth vs. Land Availability" it states the problem being that the per capita land consumption is increasing while available quality developable land is decreasing. The solutions identified are compact growth, infill and redevelopment. Reasons for zoning the area MRM rather than MRH as part of the revised Land Development Code (LDC) and Zoning Map in February of 2011, were that the northwest area of town has been historically over saturated with multi-family structures disrupting the balance of housing options for Mixed Residential areas in the General Plan. Consistent efforts have been made in the past decade by the City Council to reduce densities in Bridger neighborhood to help initiate new single family development and begin to restore housing balance.

## **PUBLIC COMMENTS**

As of the time the staff report was prepared, no comments have been received.

## **AGENCY AND CITY DEPARTMENT COMMENTS**

No comments.

## **RECOMMENDED FINDINGS FOR DENIAL**

The Planning Commission bases its decisions on the following findings:


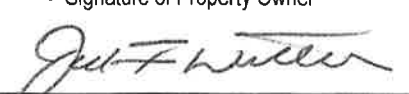
1. Because Lot #6 was never properly subdivided into smaller parcels around the seven (7) 4-plexes by the City, some of the current TIN boundaries configured at the county are insufficient in size and lack adequate usable open space, landscaping and setbacks.
2. Adjacent land uses, especially the single family neighborhood to the south, would be negatively impacted by the increased density.
3. The City Council has consistently chosen the lower MR zoning designation for the Bridger Neighborhood because that area already has a disproportionate amount of higher density multi-family development.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



# APPLICATION FOR PROJECT REVIEW

☒ Planning Commission   ☐ Land Use Appeal Board   ☐ Administrative Review

Date Received <b>3/14/16</b>	Received By <b>RH</b>	Receipt Number	Zone <b>MR-12</b>	Application Number <b>PC 16-017</b>
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME <b>Willetts Rezone</b>				
PROJECT ADDRESS <b>1360 N. 200 W. LOGAN, UT. 84341</b>				COUNTY PLAT TAX ID # <b>05-041-0056</b>
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) <b>Jed F. Willetts (owner)</b>				MAIN PHONE # <b>435-760-3689</b>
MAILING ADDRESS <b>3901 S. 4000 W.</b>		CITY <b>Wellsville</b>	STATE <b>UT</b>	ZIP <b>84339</b>
EMAIL ADDRESS <b>jedwilletts1@gmail.com</b>				
PROPERTY OWNER OF RECORD (Must be listed) <b>Jed F. Willetts</b>				MAIN PHONE # <b>435-760-3689</b>
MAILING ADDRESS <b>3901 S. 4000 W.</b>		CITY <b>Wellsville</b>	STATE <b>UT</b>	ZIP <b>84339</b>
EMAIL ADDRESS <b>jedwilletts1@gmail.com</b>				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed)  <b>Rezone to MR 20 units per acre</b> <b>(Rezone Lot #6 of Royal Point Sub)</b> <b>From MR-12 to MR-20</b>  <b>- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -</b>				Total Lot Size (acres) <b>.24</b>
				Size of Proposed New Building (square feet) <b>TBD</b>
				Number of Proposed New Units/Lots
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.		Signature of Property Owner's Authorized Agent 		
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.		Signature of Property Owner 		

Council workshop: may 3  
Council hearing: may 17



Exhibit "A"

A Part of Lot 6 ROYAL POINT SUBDIVISION DESCRIBED AS: Beginning at the Southwest Corner of lot 6 Royal Point Subdivision; running thence along the West line of said lot North 00°00'00" East 90.00 feet; thence North 90°00'00" East 114.50 feet; thence South 00°00'00" East 90.00 feet to the South line of said lot; thence along said South Line North 90°00'00" West 114.50 feet to the beginning.

Subject to a right of way described as: Beginning at a point located North 90°00'00" East 114.50 feet and North 00°00'00" East 84.51 feet from the Southwest Corner Lot 6 Royal Point Subdivision; Running thence North 90°00'00" West 50.48 feet; thence North 00°00'00" East 5.49 feet; thence North 90°00'00" East 50.48 feet; thence South 00°00'00" East 5.49 feet to the beginning

Together with and subject to a right-of-way for ingress and egress 25 feet wide the center line described as follows:

Beginning at a point in the South Line of 1400 North Street 76.5 feet North 89°41'39" East of the Northwest corner of Lot 6, Royal Point Subdivision as shown by the official plat thereof filed October 13, 1992 as filing No. 565507 in the office of the Cache County Recorder, and running thence South 251.01 feet; thence East 154.26 feet to the West line of 200 West Street

Tax I.D. 05-041-0056